

### **REMARKS**

Claims 1-3 and 7-10 are indicated as allowable by the present non-final Office Action. Claims 4-6, 11-29, and 38 have been rejected by the present non-final Office Action. After entry of the present amendment, claims 1-3 and 7-10 remain pending, and claims 4-6, 11-29, and 38 have been withdrawn without prejudice to filing a divisional or continuation application. No new matter has been added by the foregoing amendments. Reconsideration of the application is respectfully requested in view of the present amendment and accompanying remarks.

#### **Claim Rejection Under 35 U.S.C. § 101**

The Office Action rejected claim 4 under 35 U.S.C. § 101 because the claimed invention was allegedly directed to non-statutory subject matter. Claim 4 has been withdrawn, and therefore this rejection is moot.

#### **Claim Rejections Under 35 U.S.C. § 102**

The Office Action rejected claims 4-6, 11-29, and 38 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,890,141 to Carney et al. (hereinafter “*Carney*”). Claims 4-6, 11-29, and 38 have been withdrawn, and therefore this rejection is moot.

#### **Notice of Allowance Requested**

Since rejected claims 4-6, 11-29, and 38 have been withdrawn by this amendment, and the present non-final Office Action indicated claims 1-3 and 7-10 are allowable, a Notice of Allowance is requested for claims 1-3 and 7-10.

**CONCLUSION**

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029. If the Examiner believes a telephone conversation would facilitate the examination of this application, the Applicant invites the Examiner to call the Attorney below at any time.

Respectfully submitted,

/Christopher J. Chan/

Christopher J. Chan  
Attorney for the Assignee  
Reg. No. 44,070

**DATE: 26 MAY 2010**

SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree Street NE  
Atlanta, Georgia 30309-3996  
Telephone: (404) 853-8049  
Facsimile: (404) 853-8806  
(FDC 026400US)

Attorney Docket No. **34250-0841**